

MINUTES OF THE MEETING AUGUST 25, 2014

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome, finally, to Canton City Council. With a quorum being present the Chair calls this meeting of Canton City Council to Order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

11 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, RICHARD HART, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS ABSENT)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader Smith:

MEMBER SMITH: Mr. President. I move we excuse Member Morris from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that we excuse Member Morris from this evening's meeting. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, and the record should show that Member Morris has a family matter this evening, and that's why he's unable to attend. Tonight invocation will be given by Council Member Edmond Mack, my good friend. If you will all stand and remain standing please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on August 25, 2014 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Council Member Edmond Mack. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We turn now to Agenda Corrections and Changes. Leader Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances #8 through and including #9, and O#7 will be retained in Committee.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading

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Ordinances 8 and 9 to this evening's agenda, and Ordinance #7 will be retained in Committee. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries and Rule 22A is suspended and the Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We now turn to Public Hearings. We have none this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We are now under Old Business. We have none tonight.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We now turn to Public Speaks. We do have one speaker signed up tonight, and it's our good friend Bruce Nordman. Mr. Nordman if you'll step forward and give us your name and your residential address, and welcome as always.

BRUCE NORDMAN: Thank you. My name is Bruce Nordman. I reside at 1623 Logan Avenue, NW. After the holiday, I'll resort to my traditional role as President of Group 175, but tonight, I'm here for the fourth time to speak about the Ordinance #2 on your Agenda tonight, which is the \$2,000,000.00 loan to Steve Coon at the Onesta Hotel. At the last meeting, I already indicated all of the wonderful things that he has done for this city, at his expense, and to help beautify the city and this is another jewel in the crown of Canton that we need to get underway. He's going to have a viewing of his opening floor on First Friday, and as you know, October 19th is when he plans to open this facility. I would urge the Council to fast-track this for a vote when you return from the holiday so that we can get this underway. We can get this money in his pocket so that he can finish this project and secure it so he can open on the 19th of October. If he's late opening it, you know he's got a wedding planned there for his daughter, so, I don't think you want to have Mrs. Coon down here after the October 19th date. So please, let's fast-track this, let's get this approved so that he has this money secured and can finish this project...and with that, thank you all and I wish everyone here a healthy Labor Day, and thank you for your attention.

PRESIDENT SCHULMAN: Thank you very much, Mr. Nordman, as always. We appreciate it. Turning now to Communications...

CLERK TIMBERLAKE: Mr. President. Mr. President. Can we have the Claims Committee come out of their Executive Session please.

PRESIDENT SCHULMAN: Sorry, yep, we should probably have the Claims Committee come out of Executive Session, so Leader.

MEMBER SMITH: Mr. President, I move that the Claims Committee come out of Executive Session.

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MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that the Claims Committee come out of Executive Session. We want just a roll call vote, please. Madame Clerk.

CLERK TIMBERLAKE: Eleven yeas, thank you very much.

PRESIDENT SCHULMAN: Thank you. We're out of Executive Session and we had our meeting and I'm sure that Claims Committee members were thinking about both things at one time, so...

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. We have none tonight.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED AUGUST 25, 2014.

352. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT FOR 8/05/14. - RECEIVED & FILED
353. COMM DEV DIRECTOR MILLER: WITHDRAWAL OF COMMUNICATION #337. - RECEIVED & FILED
354. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF PARCELS OF REAL PROP & AUTHORIZE THE DISPOSITION OF SAID PROPERTY (PARCEL #225695 @ 402 RAYNOLDS PL SW; PARCEL # 228723 @ 442 WAYNESBURG DR SE; PARCEL #202030 @ 1601 19TH ST NE; PARCEL #233228 @ 2114 3RD ST NE) ALL FOR \$1.00 UNDER THE LAND REUTILIZATION PROGRAM AND ARE ELIGIBLE FOR USE IN THE N.I.P. PROGRAM. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
355. COMM DEV DIRECTOR MILLER: AMEND APPROP O#264/2013 (\$2,410,452.00 FR UNAPPROP BAL 2211 CDBG FUND TO 2211 506001 CDBG FUND - OTHER; \$489,048.00 FR UNAPPROP BAL 2214 HOME FUND TO 2214 506001 HOME FUND - OTHER; \$202,563.00 FR UNAPPROP BAL 2219 ESG FUND TO 2219 506001 ESG FUND - OTHER). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
356. COMM DEV DIRECTOR MILLER: AUTHOR MAYOR AND/OR SERV DIR TO REVISE BUDGETS AUTHORIZED IN O#83/2014 AND O#71/2014 IN THE CONSOLIDATED ONE YEAR ACTION PLAN; AUTHORIZE MAYOR AND/OR SERVICE DIRECTOR TO PURCHASE AND/OR ENTER INTO CONTRACTS FOR \$125,000.00 FOR FOOD VOUCHERS FOR COMMUNITY DEVELOPMENT DAY; \$40,000.00 FOR BUS PASSES THROUGH SARTA FOR COMMUNITY DEVELOPMENT DAY; AUTHORIZE \$750,000.00 FOR DEMOS FOR BLIGHTED PROP

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THROUGHOUT THE CITY OF CANTON, TO BE ADMINISTERED BY THE DEPT OF DEVELOPMENT. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

357. COMM DEV DIRECTOR MILLER: AUTHOR MAYOR AND/OR SERV DIR TO AMEND DEPARTMENT OF DEVELOPMENTS CLASSIFICATION PLAN. - PERSONNEL COMMITTEE
358. COUNCIL MEMBER-AT-LARGE HART: LETTER TO MAYOR HEALY REGARDING TREES ON CITY AND PARK OWNED PROPERTIES. - RECEIVED & FILED
359. COURT ADMINISTRATOR KOCHERA; REQ APPROP TRANS TO JUDGES ADMINISTRATION (\$7,035.00 FR OTHER PROFESSIONAL SERVICES 2423-70506-701001 COURT CAPITAL/SPECIAL PROJECTS FUND TO OVERTIME-REGULAR 2423-61121-701001 COURT CAPITAL/SPECIAL PROJECTS FUND, TO PERS 2423-62151-701001, TO WORKERS COMP 2423-62163-701001, MEDICARE 2423-62165-701001) - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
360. COURT ADMINISTRATOR KOCHERA: REQ APPROP TRANS TO JUDGES ADMINISTRATION, MUNICIPAL PROBATION SERVICE FUND 2766 (\$8,275.00 FR MAJOR EQUIPMENT 2766-75806-701001 MUNICIPAL PROBATION SERVICE FUND TO OVERTIME-REGULAR 2766-61121-701001 MUNICIPAL PROBATION SERVICE FUND, TO PERS 2766-62151-701001, TO WORKER COMP 2766-62163-701001, TO MEDICARE 2766-62165-701001). - FINANCE COMMITTEE
361. DEPUTY MAYOR WILLIAMS: AUTHORIZE ENTERING INTO A CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMT NOT TO EXCEED \$200,000.00 FOR WORK TO BE PERFORMED AS PART OF THE FORMER OHIO CAST PRODUCTS, INC LOCATED AT 2408 13TH ST NE, UNDER THE CLEAN OHIO ASSISTANCE FUND (\$200,000.00 FR UNAPPROP BAL 2814 CLEAN OHIO FUND TO 2814 506001 CLEAN OHIO FUND - OTHER). - FINANCE COMMITTEE
362. DEPUTY MAYOR WILLIAMS: AMEND APPROP O#264/2013 (\$250,000.00 FR UNAPPROP BAL 1001 GENERAL FUND TO 1001 852002 TREAS. GROWTH INIT. SETTLEMENT - OTHER). - FINANCE COMMITTEE
363. DEPUTY MAYOR WILLIAMS: AUTHOR MAYOR OR SERV DIR TO ENTER INTO AN AGMT WITH I2R POWER COMPANY TO PROVIDE AN ECONOMIC DEVELOP GRANT BASED ON JOB CREATION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
364. DEPUTY MAYOR WILLIAMS: AUTHOR MAYOR OR SERV DIR TO ENTER INTO AN AGMT WITH AMBAFLEX MANUFACTURING INC. TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT BASED ON JOB CREATION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
365. FINANCE DIRECTOR DIRUZZA: AMEND APPROP O#264/2013 WITH SUPP APPROP, APPROP

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TRANSFER AND INTRAFUND TRANSFER TO PAY SURVEYING FEES FOR PENDING ANNEXATIONS; COVER INVESTMENT MANAGEMENT AND CUSTODY ACCOUNT FEES FOR THE TREASURER'S OFFICE; COVER ANTICIPATED REPAIR OF ENGINES AND OTHER VEHICLES IN THE FIRE DEPT; FUND THE BOBBY J. WRIGHT CONTINUED CLAIM OBLIGATION. - FINANCE COMMITTEE

366. HEALTH COMM ADAMS: REQ TO ENTER INTO PROF SERV CONTRACT IN AMT OF \$40,000.00 WITH NATIONAL ORGANIZATION OF URBAN MATERNAL AND CHILD HEALTH LEADERS (CITYMATCH) FOR TRAINING, FACILITATION, AND TECHNICAL ASSISTANCE FOR STARK COUNTY EQUITY INSTITUTE FOR INFANT MORTALITY (FUNDING TAKEN FR FUND 2314 - CHILD & FAMILY HEALTH). - FINANCE COMMITTEE
367. HEALTH COMM ADAMS: REQ TO AMEND O#264/2013 (\$9,000.00 FR UNAPPROP BAL OF 2323, PREP GRANT TO 2323 FUND - OTHER; \$16,000.00 FR UNAPPROP BAL OF 2313, PREVENTATIVE HEALTH TO 2313 FUND - PERSONNEL). - FINANCE COMMITTEE
368. HEALTH COMM ADAMS: REQ FOR UNAPPROP FUNDS BECOME APPROP (\$70,000.00 FR UNAPPROP BAL OF THE 2314, CHILD & FAMILY HEALTH TO 2314 FUND - OTHER AND 2314 FUND - PERSONNEL; (\$50,000.00 FR UNAPPROP BAL OF THE 2328, PHEP GRANT TO 2328 FUND - OTHER). - FINANCE COMMITTEE
369. LIQUOR CONTROL DIVISION: REQ TRANSFER OF D5 PERMIT FR 1ST FL & BSMT & PATIO @ 221 MARKET AVE N INC TO P&P JD LLC DBA NAPOLIS ITALIAN EATERY 1ST FL & BSMT & PATIO @ 221 MARKET AVE N. - RECEIVED & FILED
370. PLAN COMM SEC'Y BAILEY: REQ AUTH FOR ZONE CHANGE FR B-2 NEIGHBORHOOD BUSINESS TO PB-4 PLANNED SPECIAL BUSINESS FOR 1501 HENRY AVE SW (PARCEL 02-27845; JOHN AND BRENDA GABRIEL). - JUDICIARY COMMITTEE
371. PLAN COMM SEC'Y BAILEY: REQ AUTH FOR VACATION OF ALL OF RENICK CT SE, A 50' WIDE STREET, FR OUTLOT 305 TO 10' SOUTH OF SHERRICK RD SE, THE VACATION OF A 10' WIDE UNNAMED ALLEY FR RENICK CT SE TO OUTLOT 301, THE REPLAT OF PARTS OF LOTS 16991 THRU 17000, ALL OF LOTS 16948 THRU 16969, LOT 39828, AND LOT 39829, AND THE DEDICATION OF A 10' STRIP FOR ADDTL RIGHT-OF-WAY FOR SHERRICK RD SE FR RENICK CT SE TO THE EAST LINE OF LOT 17000. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
372. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO APPROP THE INTEREST GENERATED FR TWO BYRNE GRANTS (2014 INT ON BYRNE GRANT 2011-DJ-BX-3276, FUND 2769 IN AMT OF \$13.92; 2014 INT ON BYRNE GRANT 2012-DJ-BX-0024, FUND 2771 IN AMT OF \$20.39). - FINANCE COMMITTEE
373. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO ENTER INTO AGMT WITH GREENTOWN VOLUNTEER FIRE DEPT TO LEAVE AVAILABLE SPACE ON THE CITY'S

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COMMUNICATION SYSTEM. - FINANCE COMMITTEE

374. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A ONE-YEAR PROF SERV CONTRACT RETRO TO SEPTEMBER 1, 2014 WITH DLT SOLUTIONS, LLC IN AN APPROX AMT OF \$42,000.00 FOR ONGOING SUPPORT AND MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES; AUTHORIZE THE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
375. TREASURER PEREZ: AMEND O#177/2006 TO AUTHORIZE AUDITOR TO ESTABLISH AND/OR MAINTAIN PETTY CASH AND/OR CHANGE DRAWER FUNDS FOR VARIOUS CITY DEPTS; EMERGENCY (FR \$200.00 TO \$3000.00). - FINANCE COMMITTEE
376. TREASURER PEREZ: REQ FUNDING FOR THE ACQUISITION, INSTALLATION, TRAINING, CONVERSION, AND IMPLEMENTATION OF A MUNICIPAL INCOME TAX SOFTWARE APPLICATION AND ONLINE FILING MODULE AS AUTHORIZED BY O#138/2014 (\$125,000.00 FR UNAPPROP BAL OF 4501 CAPITAL IMPROVEMENT FUND TO 4501 85-21-01 TREAS - INCOME TAX - OTHER). - FINANCE COMMITTEE
377. WARD 2 COUNCIL MEMBER WEST: REQ STREET NAME CHANGE FR GIBBS AVE NE TO W.C. HENDERSON AVENUE NE, (BEGINNING AT HIGHLAND AVE NE TO TUSC ST). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now turn to Ordinances and Formal Resolutions for the First Reading. Madame Clerk would you please begin with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE A GRANT UTILIZING GENERAL FUND DOLLARS IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR GRANTS, LOANS AND ADMINISTRATIVE COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY.
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- Referred to Finance Committee
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$2,000,000.00 WITH HISTORIC ONESTO, LLC IN ORDER TO PROVIDE GAP FINANCING TO THE HISTORIC ONESTO, LLC REDEVELOPMENT PROJECT; AUTHORIZING THE ISSUANCE OF A REVENUE BOND ANTICIPATION NOTE; AMENDING CHAPTER 181.14(C); AND DECLARING THE SAME TO BE AN EMERGENCY.

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- #3 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH STONE CROSSING CARE CENTER PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY.

Referred Community & Economic Development Committee

- #4 (1ST RDG) AN ORDINANCE REPEALING SECTION 133.051; CHARGE FOR PUBLIC SAFETY SERVICES AT SCENES OF MOTOR VEHICLE ACCIDENTS; APPEAL, OF THE CODIFIED ORDINANCES

Referred to Judiciary Committee

(COUNCIL RECESSED AT 7:45 PM FOR THE ENVIRONMENTAL AND PUBLIC UTILITIES COMMITTEE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES TO DISCUSS ORDINANCES #5 AND 6; RECONVENED AT 7:53 PM)

- #5 (1ST RDG) **ADOPTED AS ORDINANCE #166/2014** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental and Public Utilities Committee

- #6. (1ST RDG) **ADOPTED AS ORDINANCE 167/2014** AN ORDINANCE RATIFYING ALL ACTIONS TAKEN AND ALL CONTRACTS EXECUTED TO ADDRESS THE 32ND ST./OVERBROOK CT. NW STORM SEWER REPAIR PROJECT, GP 1213; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO RECEIVE GRANT FUNDS FROM THE OPWC FOR THIS PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 4576 32ND ST./OVERBROOK CT. NW STORM SEWER REPAIR PROJECT FUND, GP 1213; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AUTHORIZING THE AUDITOR TO PAY \$86,920.00 TO LAYNE INLINER, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (\$69,536.00 FROM UNAPPROP BAL OF 4576 32ND ST./OVERBROOK CT. NW STORM SEWER REPAIR PROJECT, GP 1213 FUND TO 4576 202099 32ND ST./OVERBROOK CT. NW STORM SEWER REPAIR PROJECT, GP 1213 - OTHER)

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: And at this time the chair will declare an in house recess for the Public Property Capital Improvement and Environmental and Public Utilities Committees to meet in regards to Ordinances 5 and 6 on your agenda this evening. You're now in recess.

PRESIDENT SCHULMAN: Okay, Council will reconvene after its recess, Leader.

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MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinances 5 and 6 back on this evening's agenda.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded to Suspend Rule 22A to place Ordinances 5 and 6 back on this evening's agenda. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. Ordinances 5 and 6 are a legal part of your Agenda. Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance #5.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 5. Any remarks? Hearing none, Madame Clerk, again roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. You've heard the three readings, Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #5.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #5. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#5 ADOPTED AS ORDINANCE NO. 166/2014

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PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 5 is adopted. Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance #6.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 6. Any remarks? Hearing none, Madame Clerk, again roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. You've heard the three readings, Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #6.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#6 ADOPTED AS ORDINANCE NO. 167/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 6 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now move to Ordinances and Formal Resolutions for their Second Reading. If you would you please begin with number...

CLERK TIMBERLAKE: 7 is retained in Committee, I will begin with number 8.

PRESIDENT SCHULMAN: ...8.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8 THROUGH #9; ORDINANCE #7 IS RETAINED IN COMMITTEE, FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS)

#7. (2ND RDG) RETAINED IN COMMITTEE A RESOLUTION AUTHORIZING AND ORDERING

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SIDEWALK REPAIRS UPON SERVICE OF RESOLUTION; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EFFECT SAID REPAIRS IF NOT COMPLETED; AUTHORIZING THE CLERK OF COUNCIL TO ASSESS AND CERTIFY COSTS TO COUNTY AUDITOR AS A TAX LIEN; AND DECLARING THE SAME TO BE AN EMERGENCY (1117 8th St NW)

- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE DISCHARGE OF THE DEMOLITION LIEN, ASSESSMENTS, PENALTIES & INTEREST ON THE PROPERTY KNOWN AS PARCEL #02-21664; AND DECLARING THE SAME TO BE AN EMERGENCY (BEDFORD SW)
- #9. ____ (2ND RDG) **ADOPTED AS ORDINANCE 168/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, REC BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF SNOW PLOWS AND SALT SPREADERS; AUTHORIZING THE MAYOR AND/OR DIRECTOR TO ALTERNATIVELY PURCHASE SAID SNOW PLOWS AND SALT SPREADERS PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE EMERGENCY (\$75,000.00 FROM UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 202210 STREET MAINTENANCE - OTHER)

PRESIDENT SCHULMAN: You did say snow plows...?

CLERK TIMBERLAKE: Plows...*(Laughter)*...

PRESIDENT SCHULMAN: Okay, thank you. Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend Statutory Rules on Ordinance #9.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance #9. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. You've heard the three readings, Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #9.

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MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks under this Ordinance? Again, hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Eleven yeas, Mr. President

#9 ADOPTED AS ORDINANCE NO. 168/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #9 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for Third, Final Reading and Vote. Leader Smith

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #10 THROUGH #15 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#10. (3RD RDG) **ADOPTED AS RECONSIDERED AND AMENDED AS 161/2014** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT FROM THE STARK COUNTY SHERIFF'S OFFICE THE 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AN AMOUNT NOT TO EXCEED \$38,805.00; RATIFYING ANY AGREEMENT ENTERED INTO WITH THE STARK COUNTY COMMISSIONERS REGARDING THE DISTRIBUTION OF GRANT FUNDS; AUTHORIZING THE AUDITOR TO CREATE THE 2787 2014 EDWARD BYRNE GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER SMITH: Mr. President, I move we reconsider Ordinance #161/2014, adopted on August 11, 2014.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to reconsider Ordinance #161/2014, adopted on August 11, 2014. Are there any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #161/2014 per the copy before each Council

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Member and could we have that summarized.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #161/2014 by virtue of the copy before each member of Council, and Law Director Martuccio, would you explain that for us?

LAW DIRECTOR MARTUCCIO: Thank you Mr. President, Chairperson Smith. This is a grant, called the Edward Byrne Memorial Grant, and the Auditor, upon re-examining the Ordinance that had been passed, asked us to change the Ordinance to say the fund that the money is going into is created, rather than renamed. In the previous version it was asking to be renamed, this says it has to be created, that's the change. Thank you ladies and gentlemen.

PRESIDENT SCHULMAN: Thank you Law Director. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: They ayes have it. The motion carries. Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #161/2014 as amended.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #161/2014 as amended. Any remarks? Again, hearing none, Madame Clerk roll call vote please.

NO REMARKS ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

RECONSIDERED AND AMENDED AS ORDINANCE NO. 161/2014

PRESIDENT SCHULMAN: Motion carries and the Ordinance is adopted. Ordinance #11 please.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 169/2014** AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF TWO PARCELS OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #'S 02-32362 & 02-32363 ON CORNER OF E TUSC & COLE AVE FOR JAMES HOSENBACKEZ)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #11.

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. Are there any remarks under this ordinance? Hearing none, Madame Clerk, roll call vote please. (*Inaudible*)...

MEMBER SMITH: It don't matter...aye...(*Laughter*)...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 169/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #11 is adopted. Ordinance 12 please.

#12. (3RD RDG) **POSTPONED INDEFINITELY AN ORDINANCE AMENDING APPROPRIATION ORDINANCE 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$175,000.00 FR UNAPPROP BAL 1001 GENERAL FUND TO 1001 601001 COUNCIL ADMIN - OTHER)**

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #12.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12. Any remarks? Leader Smith.

MEMBER SMITH: Mr. President, I move we postpone Ordinance #12 indefinitely.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance #12 indefinitely. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

#12 POSTPONED INDEFINITELY

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Ordinance #12 is postponed indefinitely. Ordinance 13 please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 170/2014 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT EQUIPMENT AWARDED TO THE CANTON POLICE DEPARTMENT THROUGH A LAW ENFORCEMENT STATE HOMELAND SECURITY PROGRAM GRANT; AND DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SCHULMAN: Leader Smith.

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MEMBER SMITH: Mr. President, I move we adopt Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Are there any remarks under this ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 170/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #13 is adopted. Ordinance 14 please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 171/2014** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$328.00 TO AULTWORKS FOR OCCUPATIONAL INJURIES AND DRUG SCREENS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #14.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Are there any remarks under this ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS, 1 ABSTAIN
(MEMBER DOUGHERTY ABSTAINED)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 171/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #14 is adopted. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 172/2014** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A REFUND TO TIMKEN STEEL CORPORATION IN AN AMOUNT NOT TO EXCEED \$121,257.49; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #15.

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MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Are there any remarks under this ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 172/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #15 is adopted, and that concludes our Ordinances for this evening.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Turning now to Announcement of Committee Meetings. Mr. Hawk.

MEMBER HAWK: Thank you Mr. President. The Finance Committee will meet Monday, September 8 at 6:30 p.m. right here in this very chamber.

PRESIDENT SCHULMAN: Thank you, Member Hawk.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: C&ED will also meet at the same time.

PRESIDENT SCHULMAN: Thank you.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Member Mari...or... Member Mack.

MEMBER MACK: Judiciary will meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Do we have any?

MEMBER HART: Mr. President.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: I wanted to thank Dave and Jill and Cindy for all their hard work on Thursday...with cold water being poured on us...

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CLERK TIMBERLAKE: It was my pleasure...*(Laughter)*...*(Applause)*...

MEMBER HART...I know 2 people who have Lou Gehrig's disease. One of them is a little too young to understand what's going on. The other was John ? *(Inaudible)* and...a terrible way to go. Again, we had a really good time. Member Hawk...I hope he looks both ways crossing the street because it too him about an hour to dump that cold water on me, and then for Member Babcock, *(Inaudible)*...neon purple speedos he had on, but...*(Inaudible)*...I hope the other elected officials will follow suit and have a good time, but a cold time.

PRESIDENT SCHULMAN: Thank you...

CLERK TIMBERLAKE:...I'd just like to further on that...We did collect money and what we are going to do is, as City Council, a past Canton Police Office, Chris Leo, there's an ALS Walk, and what Council is going to do is...we're going to donate all of our money in his honor, to his team for the Walk and ALS. I just wanted to let everybody know what our money is going to. *(Applause)*.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Mr. President, I too would like to thank everybody who was involved in that, organizing it...orchestrating it. You know, I feel it brought us together. I think, unfortunately in the past, we've been separated and it brought us together as a group on those steps there, and getting humiliated. But I really do feel that it was good for everybody. Thank you.

MEMBER SMUCKLER: It wasn't that bad.

PRESIDENT SCHULMAN: There's nothing like a humiliation to bring you together. *(Laughter)*.

MEMBER SMUCKLER: Be a Councilman one time and you'll find out. *(Laughter)*.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: That was funny. Yes, I wanted to just thank the Street Department. I think they did a fantastic job this morning. We had the McKinley Fork. We did a Team Up to Clean Up Day and they came through early this morning, swept the streets and really came through and cut all the debris and neighbors started coming and really applauding their efforts. We also had some volunteers from SRCC and ... which is Stark Regional Community Corrections Center, Community Treatment...Community Treatment and Correction Center also came out. Gave us about 8 to 10 guys, and there was a lot of lifting and a lot of raking and...just did a great job. I wanted to commend the Street Department for their efforts. The other thing I wanted to mention is...last night at the R&B Hall of Fame Induction, it was a really nice event, but one of the things that struck me was the person that put it on...Lamont Robinson...he said that, you know, I went to Cleveland and had some trouble, he said we did it last year and had a lot of problems in Cleveland, but Canton, you extended your hand to us and we really appreciate that. There was a lot of people in the audience that were from Detroit, and now they're looking to try to take it over there to Detroit, but they did a great job last night and I wanted to commend them as well. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Anyone other remarks? Leader Smith.

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MEMBER SMITH: Mr. President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adjourn. Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame clerk. The meeting is adjourned. Drive carefully everybody.
(Gavel falls)

ADJOURNMENT TIME: 8:10 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT